

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ATAIN INSURANCE COMPANY,

Plaintiff,

8:25CV143

vs.

UNION PACIFIC R.R. CO.,

Defendant.

ORDER

This matter comes before the Court after a review of the docket and pursuant to NECivR 41.2, which states in relevant part: "At any time, after appropriate notice, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution."

Defendant/Third-Party Plaintiff Union Pacific Railroad Company ("Union Pacific") filed a third-party complaint against Sisecam Wyoming LLC ("Sisecam") on March 11, 2025. [Filing No. 9](#). Union Pacific filed a return of service indicating service on Sisecam on March 17, 2025. [Filing No. 16](#). No answer or other responsive pleading has been filed. Union Pacific has a duty to prosecute its claims against Sisecam and may, for example, seek default judgment in accordance with the appropriate rules or take other action as appropriate.

Accordingly,

IT IS ORDERED that Union Pacific shall have until June 9, 2025 to show cause why its claims against Sisecam should not be dismissed pursuant to NECivR 41.2 for want of prosecution. The failure to timely comply with this Order may result in dismissal of Union Pacific's claims against Sisecam without further notice.

Dated this 8th day of May, 2025.

BY THE COURT:

s/ Jacqueline M. DeLuca

United States Magistrate Judge